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Identical letters dated 19 June 2012 from the Chargé d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith a letter dated 14 June 2012 addressed to you by Raymond Tshibanda N'tungamulongo, Minister for Foreign Affairs, International Cooperation and Francophone Affairs of the Democratic Republic of the Congo, concerning the deterioration of the security situation in the Province of North Kivu, in the eastern part of the country (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Zénon **Mukongo Ngay**
Minister Counsellor
Chargé d'affaires a.i.

12-38287 (E) 210612 220612

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Annex to the identical letters dated 19 June 2012 from the Chargé d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to inform you that the security situation in the Province of North Kivu in the Democratic Republic of the Congo is deteriorating.

On 30 April 2012, a mutiny broke out in three units of the Armed Forces of the Democratic Republic of the Congo (FARDC) in North and South Kivu. Led by their former commander, Bosco Ntaganda, a number of former members of the armed group known as Congrès national pour la défense du peuple (CNDP), wh had been integrated into the army following the peace agreements signed in Gom in 2009, had deserted in an attempt to launch a fresh armed rebellion.

Upon being routed by FARDC, these elements, numbering no more than a few hundred out of the 4,000-odd men who had been integrated into the army, fled into Virunga National Park, where they retreated into an area of at most four square kilometres abutting the border with Rwanda, among the hills around Runyonyi, Mbuzi and Tshianzu.

In a vain attempt to give a political character to what is in reality nothing but a desperate attempt to evade the clutches of the justice system, which were beginning to close on Bosco Ntaganda for the crimes he had committed under the Union of Congolese Patriots in Ituri, the rebels are shrewdly seeking to give themselves a new identity by renaming their movement M23.

Their real motives in so doing, however, are unrelated to the commitments entered into in 2009, which they assert have not been honoured by the Government of the Democratic Republic of the Congo.

The Government is concerned at the turn the situation is taking, especially as this mutiny has resulted in the displacement of thousands of Congolese families, thereby creating a fresh humanitarian crisis.

The Government wishes to direct the attention of the Security Council to the fact that, according to consistent information obtained from a variety of sources, the rebels are receiving support from the neighbouring country of Rwanda, and fighters are being systematically recruited in that country. Both Rwanda and the Democratic Republic of the Congo are members of the African Union, the Economic Community of the Great Lakes Countries and the International Conference on the Great Lakes Region, and such support and recruitment activities constitute violations of all the legal instruments freely entered into by both countries in the framework of those organizations and of the relevant Security Council resolutions.

In view of the seriousness of these facts, the Government took the time to confirm them with its own resources. An investigation was carried out, while concurrently the joint mechanisms established several years ago by the Democratic Republic of the Congo and Rwanda were activated with a view to determining the facts on the ground.

The findings of that investigation and the enquiries of the joint mechanisms now enable us to formulate the following conclusions:

1. Among the rebels there are some 200 to 300 individuals who were recruited in Rwandan territory through an active network operating in that neighbouring country.

2. A number of the fighters so recruited are Rwandan nationals who were infiltrated into the Democratic Republic of the Congo, where they underwent a minimum of training and were then deployed at the front against FARDC.

3. Their numbers include minors and very young persons.

4. In their flight, the rebels abandoned all their armament, 38 tons of it in all, which was recovered by FARDC. Yet it is noteworthy that their firepower has greatly increased since their arrival in the Runyonyi-Tshianzu-Mbuzi triangle, an area that abuts the boundary between the Democratic Republic of the Congo and Rwanda.

5. Unnatural alliances have been formed. For example, members of the Forces démocratiques de libération du Rwanda (FDLR), some of whom had been repatriated to Rwanda by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), have joined the ranks of the rebels, as is clear from the fact that a number of them have been captured at the front.

It appears from the foregoing that Rwandan territory has been used for the preparation and perpetration of a plot which began as a mere mutiny, but is evolving dangerously into an attempt to breach the peace between two countries in the Great Lakes region, thereby jeopardizing the progress that has been achieved in that connection since 2009.

Accordingly, the Government of the Democratic Republic of the Congo urgently requests the Security Council to:

(a) Condemn the fresh attempt at rebellion led by former members of CNDP, now calling itself M23;

(b) Reaffirm the inviolability of the sovereignty, territorial integrity and independence of the Democratic Republic of the Congo;

(c) Condemn the abuses and violations of human rights and international humanitarian law, including population displacement, that have been inflicted upon the Congolese people of the Provinces of North and South Kivu and identify the members of M23 as being responsible for those acts;

(d) Condemn the foreign support that M23 is receiving, and hold those providing it jointly responsible for all the reprehensible acts committed by that movement;

(e) Remind Rwanda of its international obligations and demand the immediate, unconditional withdrawal of any members of its armed forces who may be serving in the ranks of the rebels;

(f) Assume its responsibilities with respect to the relevant provisions of the Charter of the United Nations and Security Council resolutions, in order to terminate any foreign support for the rebels;

(g) Take all appropriate measures to terminate the activities of all negative forces, including FDLR, CNDP and M23.

I take this opportunity to reiterate, on behalf of the Government of the Democratic Republic of the Congo, that we very much appreciate the effective partnership that has been established on the ground between FARDC and MONUSCO. In particular, I should like to mention the admirable role played by MONUSCO in protecting civilian populations and supporting FARDC.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Raymond **Tshibanda N'tungamulongo**